

ECONOMIC & COMMUNITY DEVELOPMENT

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PLANNING SERVICES

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STAFF REPORT FOR HEARING EXAMINER MEETING OF April 2, 2014

FILE NO: BANDON EAST PRELIMINARY SUBDIVISION

SU-2013-4, KIVA#RPP3-2133638

APPLICANT: Jamie Waltier

Harbour Homes, LLC

1441 North 34th Street, Suite 200

Seattle, WA 98103

REQUEST: A request to subdivide three parcels totaling 4.23 acres

into 30 single family residential lots, a recreation tract, two landscape tracts, and three private joint use

driveway tracts.

STAFF

REPRESENTATIVE: Sharon Clamp, Planner

STAFF

RECOMMENDATION: APPROVAL WITH CONDITIONS

I. GENERAL INFORMATION

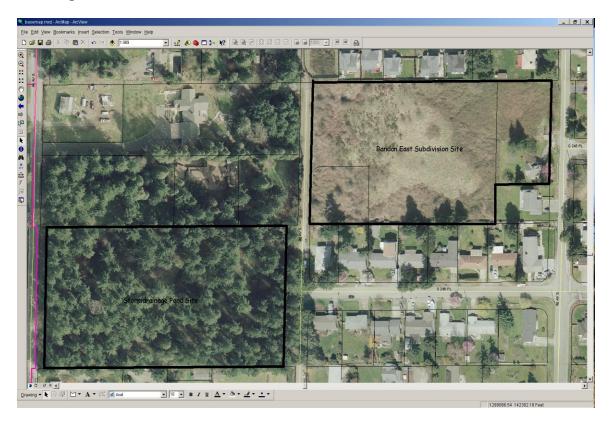
A. <u>Description of the Proposal</u>

The applicant proposes to subdivide three parcels totaling 4.23 acres into 30 single family residential lots, a recreation tract, two landscape tracts, and three private joint use driveway tracts. The property zoned SR-8, single family residential, is currently developed with a single family residence and outbuilding, both of which will be removed.

B. Location

The subject site is located at 24459 98th Avenue South and is identified by King County tax parcel numbers 1922059027, 1922059415 and 1922059416. The subject property has frontage on both 96th Avenue South and 98th Avenue South. The stormwater detention facility for this plat is proposed to be constructed on parcel number 3585100010, located to the southwest across 96th Avenue South. The site of the stormwater pond will not be subdivided as part of this proposal, as the proposed pond will be placed in an easement. When this western property is subdivided in the future, the pond easement will likely become a tract dedicated to the public.

The development will take access from a new public street, South 245th Place, to be constructed between 96th Avenue South and 98th Avenue South. Improvement for the new street and the property frontage along 96th and 98th Avenues South include curbs, gutters, sidewalks, planter strips and streetlights.



C. <u>Size of Property</u>

According to the King County Assessor, the subject site is 4.23 acres in size.

D. Zoning

The site is currently zoned SR-8, Single Family Residential. Adjacent properties in all directions are also zoned SR-8.

E. Land Use

The City of Kent Comprehensive Land Use Map designates the site as SF-8 Single Family Residential, 8 units per acre. The surrounding area is also designated as SF-8.

Adjacent land uses to the north, south and east consist of platted subdivisions; land uses to the west consist of vacant land and individual residential lots.

F. <u>History</u>

The subject property was annexed to the City of Kent in 1987 as part of the East Hill Community Well 2 annexation (Ordinance No. 2721).

A pre-application conference was held on April 16, 2013. City staff and the applicant discussed likely conditions of approval associated with this project during the pre-application conference.

A preliminary plat application (SU-2013-4, KIVA #2133638) and an environmental checklist (ENV-2013-18, KIVA #2133637) were received by the City of Kent on October 14, 2013.

II. ENVIRONMENTAL CONSIDERATIONS

A. Environmental Assessment

A Mitigated Determination of Nonsignificance (ENV-2013-18) for the 30-lot subdivision was issued on February 14, 2013. A copy of this MDNS is part of the record for this plat application. As of the date of this report, the MDNS has not been appealed.

B. Significant Physical Features

Topography, Vegetation, and Sensitive Areas

The property is described as rolling with slopes ranging from eight to 15 percent. There is an isolated area near the west side of the site that has a 20 percent slope.

Vegetation on the site consists of deciduous and evergreen trees, grass, pasture, blackberry and holly. Pursuant to Kent City Code 15.08.240, tree retention is required. All trees of a six-inch caliper and greater are required to be preserved within perimeter landscape areas unless the trees are within areas used for required roads, utilities, sidewalks, trails, access and/or sight distance. Within the site interior, a minimum of 15 percent of the diameter inches of significant trees are required to be retained. The applicant has submitted a tree retention plan that retains 20.5 percent of the diameter inches of interior trees. Specific measures to protect retained trees during construction will be required through the grading and civil permit process.

On the off-site parcel on which the stormwater detention facility is proposed to be constructed, the applicant has submitted a tree retention plan which retains 70 percent of the diameter inches of all interior trees of a six-inch caliper and greater.

No wetlands, streams or steep slopes have been identified on the properties.

C. <u>Significant Social Features</u>

1. Street System

The proposed subdivision will take its primary access from 98th Avenue South and secondary access from 96th Avenue South via a new public street. The project will include constructing road frontage improvements along 98th Avenue South and 96th Avenue South in accordance with the requirements in the Kent Design and Construction Standards. Maintenance access to the storm water detention pond will be from 94th Avenue South with the access driveway constructed in accordance with the requirements in the Kent Design and Construction Standards.

This development is within an area that is characterized by streets with narrow traffic lanes and narrow or no shoulders, and has been identified as having substandard pedestrian facilities. This development will require off-site sidewalks/walkways to provide safe travel for school-age pedestrians.

The existing asphalt pavement section of these streets along the subject property frontage may be inadequate to provide an expected 20-year service life and may be in need of an asphalt overlay/rebuild in order to maintain an acceptable level of service while accommodating the increased volume of trips being generated by this proposal.

This new subdivision will add an estimated 300 daily and 30 PM peak hour trips to the public street system. Per City of Kent ordinance 3992, this project will pay Traffic Impact Fees to mitigate for the increased trips.

2. Water System

All homes within the proposed plat will be connected to the public water system provided by the City of Kent.

3. Sanitary Sewer System

All homes within the proposed plat will be connected to the public sanitary sewer system provided by the City of Kent.

4. Stormwater System

Stormwater runoff from rooftops, driveways and roads within the subdivision will be collected and conveyed to a treatment and detention facility to be constructed on an adjacent parcel located to the southwest. This facility will be located in an easement that will likely become a public tract when the western property is subdivided.

The Applicant will be required to complete a full drainage analysis and develop and submit drainage plans according to the "2002 City of Kent Surface Water Design Manual" and the "1998 King County Surface Water Design Manual." This site is located within a Level 2 flow control area and a Resource Stream Protection water quality area, and will comply with the requirements for those specific areas.

III. CONSULTED DEPARTMENTS AND AGENCIES

The following departments and agencies were advised of this application:

Economic Development Manager

Public Works Department

Parks & Recreation Department

City Attorney

U.S. Post Master

King Co. Wastewater Treatment

King Co. Public Health

King Co. Transit Division

Police Department Fire Department

City Clerk

Kent School District Puget Sound Energy

Century Link

Washington State DOE

Canterbury Neighborhood Council President

A Notice of Application was issued on October 25, 2013, published in the Kent Reporter and posted on the site. In addition to the above, all persons owning property located within 300 feet of the site were notified of the public hearing. Written comments were received from Ann M. Eggers which included concerns regarding increased traffic, pedestrian safety, and current lack of sidewalks. In response to Ms. Egger's concerns, roadway frontage improvements to include sidewalks and planter strips are required along the property frontage on 98th and

 96^{th} Avenues South. In addition, a condition of the SEPA review requires the developer to construct a six-foot wide asphalt walkway from the north end of the new sidewalk constructed along 98^{th} Avenue South to the existing sidewalk approximately 100 feet to the north.

IV. PLANNING SERVICES REVIEW

A. <u>Comprehensive Plan</u>

The City of Kent has adopted a revised Comprehensive Plan pursuant to the Growth Management Act (Ordinance #3698, July 2004). The goals and policies of the Comprehensive Plan represent an expression of community intentions and aspirations concerning the future of Kent and the area within the potential annexation area. The Comprehensive Plan is used by the Mayor, City Council, Land Use and Planning board, Hearing Examiner and city departments to guide decision-making relative to development and capital facility spending.

The City of Kent Comprehensive Plan is comprised of 11 elements which contain written goals and policies as well as a land use map. The following Comprehensive Plan goals and policies support the proposed development:

LAND USE ELEMENT

The Land Use Element of the plan contains a Land Use Plan Map, which designates the type and intensity of land uses throughout the city, as well as in the entire potential annexation area. The Land Use Plan Map designates the subject property as SF-8, Single Family Residential which allows eight units per acre. In addition to the Land Use Plan Map, the Land Use Element also contains goals and policies relating to the location, density, and design of future development in the City and in the Potential Annexation Area.

Policy LU-9.1: Where appropriate, establish urban residential densities of at least four (4) units per net developable acre in order to adequately support urban densities.

Policy LU-9.4: Locate housing opportunities with a variety of densities within close proximity to employment, shopping, transit, and where possible, near human and community services.

Goal LU-10: Provide opportunities for a variety of housing types, options, and densities throughout the City and the Potential Annexation Area to meet needs of the region's changing demographics.

Policy LU-10.4: Allow single family housing on a variety of lot sizes.

Locate smaller lot sizes within close proximity of the

Urban Center or Activity Centers wherever possible.

Planning Services Comment:

The proposed subdivision is supported by relevant goals and policies contained within the Land Use Element of the Comprehensive Plan. The development proposed through this subdivision request seeks to establish residential lots at a net density of approximately 7.09 units per acre, which is sufficient to support urban services and infrastructure. The proposed location is easily served by existing urban services and is in convenient proximity to commercial areas in downtown Kent, as well as a neighborhood commercial development located at 104th Avenue SE and SE 240th Street. The land use plan supports the development of close-in vacant or underdeveloped properties, which limits further urban sprawl on the edges of the planning area. Also, one of the objectives of the comprehensive plan is to provide a wide variety of housing types and opportunities to accommodate projected population growth without converting single family lands to multifamily residential. A subdivision on underdeveloped, single family zoned land is consistent with this objective.

HOUSING ELEMENT

The primary goal of the housing element is to meet the current and future need for housing in the Kent area. The ability to obtain affordable housing is essential to a stable, healthy, and thriving community.

Goal H-2: Promote the organization and enhancement of

neighborhoods and provide the opportunity for comfortable and well-maintained housing for all citizens.

Policy H-2.3: Provide an appropriate mix of housing styles and choices,

allowing for different types of housing from neighborhood

to neighborhood.

Policy H-2.5: Require developments to provide their fair share of on-

site and off-site improvements needed as a result of the

development.

Goal H-5: Increase housing opportunities through a diversity of

housing types and the innovative use of residential and

commercial land.

Policy H-5.1: Expand the range of affordable housing choice available

to meet the needs of both current Kent residents and

residents projected in growth estimates.

Policy H-5.2: Provide a sufficient amount of land zoned for current and

projected residential needs including, but not limited to, assisted housing, housing for low income households,

single family housing, and small lot sizes.

Policy H-5.3: Promote diversity of housing types affordable to a range

of income levels and cultural/ethnic diversity.

Goal H-7: Encourage flexibility and innovative site and building

design for a variety of housing developments to expand

home ownership.

Planning Services Comment

The proposed subdivision is supported by relevant goals and policies contained within the Housing Element of the Comprehensive Plan. The overall density for the project as mentioned above is proposed at an acceptable level to support urban services, and supports projected population growth and the changing demographics of the City. Appropriate services, including, but not limited to, fire, police, medical services, neighborhood shopping and child care are easily accessible to neighborhood residents upon development of the subject property.

TRANSPORTATION ELEMENT:

Goal TR-1: Coordinate land use and transportation planning to meet the

needs of the City and the requirements of the Growth

Management Act.

Policy TR-1.6: Coordinate new commercial and residential development in

Kent with transportation projects to assure that transportation facility and service capacity is sufficient to

accommodate the new development.

Planning Services Comment:

The Growth Management Act requires consistency between land use and transportation planning. As noted, the Land Use Plan identifies the area of this proposal as SF-8, Single Family Residential. The Public Works Department has identified improvements to the local transportation network necessary to accommodate the proposed development. These improvements will be required for this subdivision.

B. <u>Zoning Code</u>

Feasibility of Development

The proposed subdivision is subject to Zoning Code development requirements of the SR-8, Single Family Residential zoning district. The proposal meets the maximum density and tree preservation requirements, and all lots within the subdivision meet the minimum lot area and lot width requirements for the SR-8 zoning district. In addition, the applicant has demonstrated how 50 percent of the lots will achieve side yard setbacks which total 16 feet.

C. <u>Standards for Granting a Subdivision</u>

The purpose of the City of Kent Subdivision Code is to provide rules, regulations, requirements, standards and procedures for subdividing land in the City of Kent, ensuring that the highest feasible quality in subdivisions will be attained; that the public health, safety, general welfare, and aesthetics of the City of Kent shall be promoted and protected; that orderly growth, development, and the conservation, protection and proper use of land shall be promoted; that proper provisions for all public facilities, including connectivity, circulation, utilities, and services shall be made; that maximum advantage of site characteristics shall be taken into consideration; and that the process shall be in conformance with provisions set forth in the City of Kent Zoning Code and Kent Comprehensive Plan (KCC 12.04.015).

The procedures regulating subdivisions are established to ensure quality development which promotes orderly and efficient growth, the conservation and proper use of land; protects the public health, safety, general welfare, and aesthetics of the city; makes adequate provisions for public facilities in conformance with provisions set forth in KCC Title 15, Zoning, and the Kent Comprehensive Plan; and complies with the provisions of this chapter and Chapter 58.17 RCW (KCC 12.04.103).

As evidenced by the General Information in Section I and the following responses to the criteria for approving subdivisions, the proposal is in general conformance with the Kent Subdivision Code.

Furthermore, Section 12.04.180 of the Kent Subdivision Code indicates that a subdivision shall not be approved unless the City finds that:

- 1. Appropriate provisions have been made for:
 - a. The public health, safety and general welfare of the community;

The proposed plat is consistent with the Comprehensive Plan designation of SF-8 and all relevant development regulations pertaining to this application for a subdivision.

b. Protection of environmentally sensitive lands and habitat;

An environmental checklist was submitted and reviewed by the City which identified environmental impacts associated with this subdivision proposal. A Mitigated Determination of Nonsignificance was issued on February 14, 2014.

c. Potable water supplies;

All homes within the proposed plat will be connected to water service provided by the City of Kent.

d. Sanitary wastes;

All homes within the proposed plat will be connected to sanitary sewer service provided by the City of Kent.

e. Other public utilities and services, as deemed necessary;

Power and natural gas lines will be installed during plat construction. Garbage service will be established by the individual residents.

f. Stormwater facilities and conveyance systems;

A stormwater system in accordance with Kent Construction Standards is required to mitigate for potential impacts to both stormwater runoff quantity and quality. The City of Kent has reviewed the increase in impervious area and determined the proposed stormwater system to be adequate. Stormwater runoff from rooftops, driveways and roads within the subdivision will be collected and conveyed to a treatment and detention facility to be constructed on an adjacent parcel located to the southwest.

q. Open spaces;

Provisions for open space will be made through the development of a community park within the proposed subdivision as discussed in section (h) below. Additionally, landscape tracts will be created on the east side of the development abutting 98th Avenue South.

h. Community parks and recreation;

The applicant is required to provide 450 square feet of on-site recreation space per lot pursuant to KCC 12.04.060. The required amount of recreation space for this 30-lot subdivision is 13,500 square feet. The applicant has provided a 14,916 square foot community park centrally located within the proposed subdivision (Tract D).

i. Neighborhood tot lots and play areas;

Provisions for these areas will be accomplished by the community park under section h. above. The community park will be improved with children's play equipment in addition to two additional pieces of play equipment or recreational facilities pursuant to KCC 12.04.060.

j. Schools and school grounds;

The subject property lies within the Kent School District. Pursuant to KCC 12.133.160, a school impact fee will be assessed in association with the subdivision of land. The impact fee will be assessed and collected for each individual lot at the time of construction permit issuance and will be based upon the adopted impact fee at that time.

k. Transit stops;

Mass transit service is provided by King County METRO. The nearest park and ride facilities are located at the transit station in downtown Kent. The nearest bus stop is at 98th Avenue South and SE 246th Place, .09 miles from the proposed development.

 Connectivity of streets or roads, alleys, and other private and public ways for vehicular and pedestrian circulation and access in and between subdivision and neighborhoods, where feasible;

The new public residential street constructed through the new development will connect 96th Avenue South to 98th Avenue South.

m. Connectivity of sidewalks, pedestrian pathways, traffic calming features and devices and other features that assure safe walking conditions within and between subdivision and neighborhoods

for residents and students who walk to and from school, parks, transit stops and other neighborhood services:

Sidewalks are required along both sides of the new public subdivision street to be constructed for this development. Sidewalks will also be constructed along the property frontages on 96th and 98th Avenues South. Additionally, a condition of the SEPA review requires the developer to construct a six-foot wide asphalt walkway from the north end of the new sidewalk constructed along 98th Avenue South to the existing sidewalk approximately 100 feet to the north.

n. Building lots and roadway access configured to support the construction of homes with diminished garage doors such that no less than fifty percent (50%) of the new lots will support construction of and access to a garage in the rear portion of the lot accessed via a common driveway between lots; or a side access garage; or a garage accessed via a rear alley; or a garage set back on less than 10 feet from the front façade of the home; or other design strategies which similarly diminish the prominence of the garage and are approved by the planning manager. Lots and roadways shall be configures such that at least two of these options are supported in each new development.

The subdivision has been designed to support diminished garage doors on 16 of the 30 lots. The proposal includes lots configured to support garages set back 10 feet from the front of the house and a garage with a side access.

o. In single-family residential zoning districts, landscape buffering along all frontage streets of the subdivision that do not provide the new lots with direct vehicular access;

The proposal includes a 10-foot landscape tract along 98th Avenue SE which will be landscaped pursuant to Section 12.04.745 KCC. No landscape tract is required along 96th Avenue South as the city has approved direct access to homes from this street.

- 2. The city has considered all other relevant facts; and determined that the proposed plat will be in conformance with all of the criteria listed above.
- 3. The public use and interest will be served by the platting of such subdivision and dedication.

4. The City has considered the physical characteristics of the proposed subdivision site and may deny a proposed plat because of flood, inundation, or wetland conditions; slope, or soil stability and/or capabilities.

D. <u>Consistency Analysis</u>

The proposed subdivision is consistent with the goals and policies of the City of Kent Comprehensive Plan.

1. Type of Land Use Allowed

The development of single family home sites is a principally permitted use on land zoned SR-8, Single Family Residential.

2. Level of Development Allowed

The proposed subdivision of 4.23 acres into 30 building sites is consistent with the designated Comprehensive Plan designation of SF-8, Single Family 8 units per acre, and with the zoning designation of SR-8.

3. Adequacy of Infrastructure

The proposed subdivision will place increased demands on existing transportation, and water and sanitary sewer systems in the general vicinity. The project will also result in an increase of impervious surface. When fully developed, the impact of 30 new homes being occupied will result in an estimated 300 new daily and 30 new PM peak hour trips to the local street system.

The effects on the domestic water supply, sanitary sewer service, stormwater run-off, conveyance, storage, treatment and discharge and transportation impacts have been analyzed through the SEPA process and the associated MDNS.

4. Characteristics of the Proposed Subdivision

The proposed subdivision, as presented, is in general conformance with the Kent City Code with respect to the required minimum lot area, minimum lot width and access to a public right-of-way.

E. <u>Proposed Findings</u>

Planning Services has reviewed this application in relation to the Comprehensive Plan, zoning, land use, street system, and comments from other departments and finds that:

- 1. The Kent Comprehensive Plan Land Use Map designates this site SF-8, Single Family Residential, 8 units per acre maximum density.
- 2. The site is currently zoned, SR-8, Single Family Residential. Under the SR-8 zoning, the site will be subject to the development standards which include 3,000 square foot minimum lot size and 30 foot minimum lot width.
- 3. Land uses in the vicinity are generally single family residential.
- 4. A Pre-application conference meeting was held for the proposed subdivision on April 16, 2013 (PA-2013-10).
- 5. A Mitigated Determination of Nonsignificance was issued for the proposed subdivision on February 14, 2014 (ENV-2013-18).
- 6. There are significant trees of six inch or greater caliper located on the property.
- 7. The site has access to 96th and 98th Avenues South.
- 8. The subject property will receive water service from the City of Kent.
- 9. The subject property will receive sewer service from the City of Kent.

V. CITY STAFF RECOMMENDATIONS

Based on the merits of this request and the code criteria for granting a preliminary subdivision, staff recommends APPROVAL of the proposed Bandon East preliminary plat subject to the following conditions:

A. PRIOR TO RECORDING THIS SUBDIVISION:

- 1. The Owner/Subdivider shall pay all known Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this subdivision, whichever comes first.
- 2. The Owner/Subdivider shall provide Public Works with a digital subdivision map prepared with a CAD program. The digital information can be formatted in either *.DWG (AutoCad) or *.DXF (Drawing Exchange File), but **must be**

based upon State Plane coordinates: <u>an assumed coordinate system</u> <u>is not permitted</u>. The State Plane Coordinates shall be on the NAD 83/91 datum and must relate to at least two City of Kent reference points within one half mile of the subdivision. In addition, the project shall be tied into at least two City of Kent NAD 88 vertical benchmarks and two additional permanent benchmarks shall be established within the project. The locations, descriptions and elevations of these benchmarks will be reported at the time as-built drawings are submitted along with field notes sufficient to verify the required precision.

- 3. The Owner/Subdivider shall submit and receive City approval from the Department of Public Works for engineering drawings meeting the minimum requirements of the 2009 City of Kent Design and Construction Standards (KDCS), and shall then either construct or bond for the following:
 - a. A public gravity sanitary sewer system to serve all lots. This development will be served by the City of Kent and will be constructed to City of Kent standards and specifications. The public sanitary sewer system shall be extended from the existing public sanitary sewer system and shall be sized to serve all off-site properties within the same service area; in addition, the sanitary sewer system shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the sanitary sewer purveyor. The septic system serving the existing home(s) within the proposed subdivision, if any, shall be abandoned in accordance with King County Health Department Regulations.
 - b. A public water system meeting domestic and fire flow requirements for all lots. This development will be served by the City of Kent and will be constructed to the City of Kent standards and specifications. The public water system shall be extended and shall be sized to serve all off-site properties within the same service area; in addition, the water main extension shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the water purveyor. Existing wells, if any, shall be decommissioned in accordance with the requirements of the Department of Ecology.
 - c. A stormwater system. The engineering plans must meet the minimum requirements of the KDCS and the 2002 City of Kent Surface Water Design Manual (KSWDM). Initial guidance is given below (See Chapter 2 of KSWDM for detailed submittal requirements):
 - i. The Engineering Plans shall include at a minimum: Site improvement plans which include all plans, details, notes and specifications necessary to construct road, drainage, and other

related improvements. The engineering plans shall include a technical information report (TIR) which contains all the technical information and analysis to develop the site improvement plans.

- ii. An erosion and sedimentation control (ESC) plan shall be included in the engineering plans. The ESC shall meet the requirements of the <u>City of Kent Construction Standards</u>, and the 2002 City of Kent Surface Water Design Manual. These plans must reflect the Detailed Grading Plan discussed below, and the Planning Services approved Detailed Tree Plan.
- iii. The retention/detention and release standard that shall be met by the subdivision is Level Two. The water quality menu that will be met by the subdivision is the Resource Stream Protection Menu.
- iv. The site improvement plans and technical information report shall contain drainage calculations and a drawing of the retention/detention tract at an appropriate engineering scale.
- v. A downstream analysis is required for this development, and it shall include an analysis for capacity, erosion potential, and water quality. Refer to the requirements of Technical Information Reports in Section 3: "Offsite Analysis", of the 2002 City of Kent Surface Water Design Manual for the specific information required for downstream analyses.
- vi. Roof downspouts for each roofed structure (house, garage, carport, etc.) shall be diverted to a Roof Downspout Control meeting the requirements of Section 5.1 of the 1998 Surface Water Design Manual. These roof downspout controls shall include overflow pipes connected to an approved stormwater flow control facility, or a dispersion system if no formal flow control facility exists or is required.
- vii. The Owner/Subdivider shall submit Landscape Plans for within and surrounding the retention/detention facility to the City for concurrent review and approval prior to, or in conjunction with, the approval of the Engineering Plans. These Landscape Plans shall meet the minimum requirements of the City of Kent Construction Standards, and the stormwater management landscaping requirements contained within the 1998 King County Surface Water Design Manual. Landscape Plans are required to show adjacent street trees.
- viii. The Owner/Subdivider shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the

drainage system. See Reference 8-F, Declaration of Stormwater Facility Maintenance Covenant, of the 2002 City of Kent Surface Water Design Manual for information on what is contained within this document.

- ix. The Owner/Subdivider shall execute and convey all public easements necessary for the construction and maintenance of the required offsite drainage improvements for this subdivision development. The easements shall be executed prior to the issuance of the Civil Construction permit.
- d. A Detailed Grading Plan for the entire subdivision meeting the requirements of the <u>2009 City of Kent Design and Construction Standards</u>, and *City of Kent Development Assistance Brochure #1-3*, *Excavation and Grading Permits & Grading Plans*.
- e. The Owner/Subdivider shall submit and receive approval for a Detailed Tree Plan, meeting the requirements of the Kent Zoning Code, and City of Kent Development Assistance Brochure #3, Detailed Tree Plans, prior to the issuance of any Construction Permits for the subdivision. Grading Plans cannot be approved without an approved Detailed Tree Plan. Detailed Tree Plans are not to be confused with required Street Tree Plans, which have an entirely different purpose.
- f. Street Improvement Plans for 98th Avenue South. These Street Improvement Plans shall meet the requirements of the KDCS, including Standard Plan # 6-11, Residential Parking One Side Local Street, for a street designated as a Residential Local Street with 2 lanes. Initial guidance for the necessary street improvements is given below:
 - i. Improvements to 98th Avenue South shall be designed such that pavement widening is constructed to the dimensions shown on Standard Plan 6-11 and as approved by City Staff. Per detail #6-11 the improvements on the west side shall also include combined vertical concrete curbs & gutters, a planter strip and a cement concrete sidewalk. An overlay to an approved limit will be required along the extent of the frontage improvements.
 - ii. A street lighting system designed to the City's standards, constructed and maintained by the IntoLight Division of Puget Sound Energy; all electrical and maintenance bills shall be paid for by an equally divided interest of all property owners on this plat. This interest may be in the form of a homeowner's association created by the Owner/Subdivider.

- iii. All overhead electrical and/or communication utilities shall be placed underground along 98th Avenue South per the requirements of the City of Kent Code Chapter 7.10 if the criteria for undergrounding in Chapter 7.10.030 are met.
- iv. Public stormwater system including provisions for collection, conveyance, detention, and treatment facilities.
- v. The proposed intersection of the new proposed South 245th Place and 98th Avenue South, identified above will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
- vi. Street Trees and grass or landscaping shall be installed within the planting strips or tree wells. The Street Trees will be located per City of Kent Standards, and the species shall be selected from the City's Approved Street Tree List.
- g. Street Improvement Plans for 96th Avenue South. The Street Improvement Plans for this street shall be designed in conformance with the requirements for a Public Residential Half-Street as required by City of Kent Construction Standards, including Standard Plan #6-13. Initial guidance for the necessary street improvements is given below:
 - i. Improvements to 96th Avenue South shall be designed such that pavement width is constructed to the dimensions shown on Standard Plan #6-13 and as approved by City staff. Per detail #6-13 the improvements on the east side shall include combined vertical concrete curbs and gutters, a planter strip and a cement concrete sidewalk. An overlay to an approved limit will be required along the extent of the frontage improvements, including the section of road south of the project and north of South 246th Street. The sidewalk that would normally be required behind the planter strip, within the right-of-way, may instead be located in a public easement. Alternatively, the applicant may secure and dedicate right-of-way along the west side of 96th Avenue South sufficient to construct a half-street section to City standards.
 - ii. A street lighting system designed to the City's standards, constructed and maintained by the IntoLight Division of Puget Sound Energy; all electrical and maintenance bills shall be paid for by an equally divided interest of all property owners on this plat. This interest may be in the form of a homeowner's association created by the Owner/subdivider.

- iii. All overhead electrical and/or communication utilities shall be placed underground per the requirements of the City of Kent Code Chapter 7.10 if the criteria for undergrounding in Chapter 7.10.030 are met.
- iv. A public stormwater drainage system, including provisions for collection, conveyance, detention, and treatment facilities.
- v. The proposed intersection of the new proposed public street and 96th Avenue South, identified above will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
- vi. The Street Trees will be located per City of Kent Standards, and the species shall be selected from the City's Approved Street Tree List.
- h. Street Improvement Plans for the new public Residential Street, South 245th Place, connecting to 96th Avenue South and 98th Avenue South, shall be designed as a residential street per the CKDCS. Initial guidance for the necessary street improvements is given below:
 - i. South 245th Place from 96th Avenue South to 98th Avenue South shall be designed as a public residential street per standard detail #6-11 (Residential Local Street Parking One Side). This is a new road that shall be constructed to the full, above-mentioned detail. This new public road shall connect to 96th Avenue South on the west site edge and 98th Avenue South on the east site edge.
 - ii. A street lighting system shall be designed to the City's standards, constructed and maintained by the Intolight Division of Puget Sound Energy; all electrical and maintenance bills shall be paid for by an equally divided interest of all property owners on this plat. This interest may be in the form of a homeowner's association created by the Owner/subdivider.
 - iii. A public stormwater drainage system, including provisions for collection, conveyance, detention and treatment facilities.
 - iv. Street trees and grass shall be installed within the 5-foot wide planting strips constructed between the back of curb and the front of the cement concrete sidewalk. The street trees will be located per City of Kent standards and the species shall be selected from the City's approved street tree list.

- v. The proposed intersection of the new proposed subdivision street(s) (whether public or private) and 96th Avenue South and 98th Avenue South, identified above will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
- 4. The Owner/Subdivider shall create a homeowner's association for this subdivision to ensure that the property owners within this subdivision are advised of their obligation to maintain the community park and landscaping in the planter strips, restrict parking and pay for the energy and maintenance required for the street lighting system installed in their development. Those sections of the required document written to govern that association as they relate to any IntoLight Division of Puget Sound Energy street lighting systems, shall be reviewed and approved by the Department of Public Works, prior to the recording of these documents.
- 5. The face of the final subdivision will clearly identify all private streets or joint use driveways, and which lots will be served by those private streets or joint use driveways. The face of the final subdivision will also specify that the maintenance of all private streets or joint use driveways is the sole responsibility of the property owners who are served by those private streets or joint use driveways.
- 6. Direct vehicular access to and from lots having frontage along 98th Avenue South is prohibited, and the face of the final subdivision will carry the following restriction:
 - DIRECT VEHICULAR ACCESS TO AND FROM LOTS HAVING FRONTAGE ALONG 98th AVENUE SOUTH IS PROHIBITED. ACCESS FOR THESE LOTS IS RESTRICTED TO SOUTH 245th PLACE.
- 7. The Owner/Subdivider shall deed all public rights-of-way, and otherwise convey all private and public easements necessary for the construction and maintenance of the required improvements for this subdivision development. All legal documents must be executed on City of Kent forms and must include an electronic CAD disk based on state plane format. All offsite easements must be executed prior to construction permit issuance.
- 8. The Owner/Subdivider shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Kent prior to issuance of Civil Construction or clearing and grading approval. The SWPPP shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSWGP).
- 9. The Owner/Subdivider shall submit a copy of the NPDES permit coverage letter from DOE issuing a permit number and coverage under the

Construction Stormwater General Permit. The letter shall be submitted to the City of Kent prior to issuance of civil construction or clearing and grading permits. The construction site shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System Construction Stormwater General Permit (CSWGP).

- 10. Prior to release of any construction bonds, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #E-1, As-Built Drawings, for: Streets; Street Lighting System; Water; Sewer; Stormwater Drainage Facilities; and all on or off-site improvements where the locations and/or elevations are deemed critical by the Department of Public Works.
- 11. The applicant/owner shall install mailbox clusters at locations and per standards approved by Development Engineering and the U.S. Postmaster.
- 12. The Owner/Subdivider shall obtain appropriate permits to demolish or remove the existing residence and outbuilding from the site in order to comply with Kent City Code.
- 13. A note shall be placed on the face of the final short plat map stating that the recreation space tract shall be owned and maintained by the homeowner's association and will always be maintained as recreation space.

B. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT ON ANY LOT IN THIS SUBDIVISION, THE OWNER/SUBDIVIDER SHALL:

- 1. Record the Subdivision.
- 2. Construct all of the improvements required in Section A, above, and pay the respective fees-in-lieu including any mitigation (EMA or EMF) charges, if any.
- 3. Receive approval of the required As-Built drawings for Street, Street Lighting, Water, Sewer, and Stormwater Management Facilities as deemed appropriate by the Department of Public Works.
- 4. The Applicant/Owner shall pay all transportation impact fees, school district mitigation fees, storm water utility connection fees, and any other mitigation fees applicable by code associated with the subject property.

KENT PLANNING SERVICES

March 26, 2014